

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 16-165 as follows:

6 (40 ILCS 5/16-165) (from Ch. 108 1/2, par. 16-165)

7 Sec. 16-165. Board; elected members; vacancies.

8 (a) In each odd-numbered year, there shall be elected 2
9 teachers who shall hold office for a term of 4 years
10 beginning July 15 next following their election, in the
11 manner provided under this Section.

12 (b) One elected annuitant trustee shall first be elected
13 in 1987, and in every fourth year thereafter, for a term of 4
14 years beginning July 15 next following his or her election.

15 (c) The elected annuitant position created by this
16 amendatory Act of the 91st General Assembly shall be filled
17 as soon as possible in the manner provided for vacancies, for
18 an initial term ending July 15, 2001. One elected annuitant
19 trustee shall be elected in 2001, and in every fourth year
20 thereafter, for a term of 4 years beginning July 15 next
21 following his or her election.

22 (d) Elections shall be held on May 1, unless May 1 falls
23 on a Saturday or Sunday, in which event the election shall be
24 conducted on the following Monday. Candidates shall be
25 nominated by petitions in writing, signed by not less than
26 500 teachers or annuitants, as the case may be, with their
27 addresses shown opposite their names. The petitions shall be
28 filed with the board's Secretary not less than 90 nor more
29 than 120 days prior to May 1. The Secretary shall determine
30 their validity not less than 75 days before the election.

31 (e) If, for either teacher or annuitant members, the

1 number of qualified nominees exceeds the number of available
2 positions, the system shall prepare an appropriate ballot
3 with the names of the candidates in alphabetical order and
4 shall mail one copy thereof, at least 10 days prior to the
5 election day, to each teacher or annuitant of this system as
6 of the latest date practicable, at the latest known address,
7 together with a return envelope addressed to the board and
8 also a smaller envelope marked "For Ballot Only", and a slip
9 for signature. Each voter, upon marking his ballot with a
10 cross mark in the square before the name of the person voted
11 for, shall place the ballot in the envelope marked "For
12 Ballot Only", seal the envelope, write on the slip provided
13 therefor his signature and address, enclose both the slip and
14 sealed envelope containing the marked ballot in the return
15 envelope addressed to the board, and mail it. Whether a
16 person is eligible to vote for the teacher nominees or the
17 annuitant nominees shall be determined from system payroll
18 records as of March 1.

19 Upon receipt of the return envelopes, the system shall
20 open them and set aside unopened the envelopes marked "For
21 Ballot Only". On election day ballots shall be publicly
22 opened and counted by the trustees or canvassers appointed
23 therefor. Each vote cast for a candidate represents one vote
24 only. No ballot arriving after 10 o'clock a.m. on election
25 day shall be counted. The 2 teacher candidates and the
26 annuitant candidate receiving the highest number of votes
27 shall be elected. The board shall declare the results of the
28 election, keep a record thereof, and notify the candidates of
29 the results thereof within 30 days after the election.

30 If, for either class of members, there are only as many
31 qualified nominees as there are positions available, the
32 balloting as described in this Section shall not be conducted
33 for those nominees, and the board shall declare them duly
34 elected.

1 (f) A vacancy occurring in the elective membership on
2 the board shall be filled for the unexpired term by the board
3 with a person qualified for the vacant position if there are
4 no more than 6 months remaining on the term. For a term with
5 more than 6 months remaining, the Director of the Teachers'
6 Retirement System of the State of Illinois shall institute an
7 election in accordance with this Act to fill the unexpired
8 term.

9 (Source: P.A. 91-941, eff. 2-6-01.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.